

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

AMAZON.COM, INC and AMAZON DATA SERVICES, INC.,)	Case No. 1:20cv484
Plaintiffs,)	Hon. Rossie D. Alston, Jr.
v.)	Hon. Ivan D. Davis
WDC HOLDINGS LLC d/b/a NORTHSTAR COMMERCIAL PARTNERS, et al.,)	
Defendants,)	NELSON DEFENDANTS' UNOPPOSED MOTION TO CONTINUE CERTAIN PRE-TRIAL DEADLINES IN LIGHT OF PENDING MOTION TO STAY CASE
800 HOYT LLC,)	
Intervening Interpleader Plaintiff,)	
v.)	
BRIAN WATSON, et al.)	
Interpleader Defendants.)	

COME NOW Carleton Nelson and Cheshire Ventures, LLC (the “Nelson Defendants”), through undersigned counsel, and file this motion to continue certain pre-trial deadlines in this action in light of the currently pending motion to stay trial pending interlocutory appeal filed by Plaintiffs.

On April 6, 2023, the Court granted in part Defendants’ motion for summary judgment resolving the majority of the claims in this action. Dkt. 1376. On August 23, 2023, the Court granted Plaintiffs’ motion to certify that Order under Federal Rule of Civ. P. 54(b). Dkt. 1437. Presently a jury trial is set in this matter for October 16, 2023 on the remaining claims. Dkt. 1391.

In response to the August 23, 2023 Order, Plaintiffs filed a motion to stay the case. Dkt. 1438. The Nelson Defendants do not intend to file an opposition to the motion to stay. Defendant Casey Kirschner has taken no position on the motion to stay. The Watson Defendants have indicated that they oppose the motion to stay, which the Nelson Defendants believe is due to the presently imposed preliminary injunction and appointed receiver and the potential that it remain in place during any interlocutory appeal, and presumably they will file a response to the motion laying out their specific objections and reservations soon. Given the motion to stay will likely be decided promptly (in light of the Court's instruction that if such a motion were to be filed by Plaintiffs, it be done quickly, *see* Dkt. 1437), the Nelson Defendants request a short extension of certain of the approaching pre-trial deadlines on the Order entered at Docket 1421 (specifically ¶¶ 7-9) to allow that process to play out without the need to incur potentially unnecessary expense preparing for trial that may be stayed pending appeal.

Specifically the Nelson Defendants request that (1) the deadline for all parties to serve objections to exhibit lists be continued twelve days from this Friday, September 1, 2023 to Wednesday, September 13, 2023; (2) the deadline for pre-trial motions be continued two days from Monday, September 11, 2023 to Wednesday, September 13, 2023; and (3) the deadline for responses to these pre-trial motions be continued by one day, from Monday, September 25, 2023, to Tuesday, September 26, 2023.

This short continuance of these deadlines will not impact the timing of the trial should the Court deny the motion to stay, but will allow the parties to avoid potential unnecessary expense while the motion to stay is pending.

The Nelson Defendants have conferred with each of the parties in this action. Plaintiffs and Defendant Kirschner have confirmed they do not oppose the relief requested. The Watson Defendants have indicated they take no position on the requested relief.

WHEREFORE, for the foregoing reasons the Nelson Defendants respectfully request the Court enter an Order setting the remaining case deadlines as set forth above.

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